



State of Connecticut COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES

450 Columbus Boulevard, Suite 2, Hartford, CT 06103

Promoting Equality and Justice for all People

Labor Committee Public Hearing – March 5, 2020

CHRO Testimony Regarding:

HB 5388, AA Creating a Respectful and Open World for Natural Hair

HB 5389, AAC Collateral Consequences of a Criminal Record

Good afternoon Senator Kushner, Representative Porter, Senator Miner, Representative Polletta, and members of the Labor Committee. My name is Cheryl Sharp and I am the Deputy Director of the Commission on Human Rights and Opportunities. Thank you for the opportunity to testify today on HB 5388, An Act Creating a Respectful and Open World for Natural Hair and HB 5389, An Act Concerning Collateral Consequences of a Criminal Record.

The CHRO strongly supports HB 5388 which expands the definition of “race” in the state’s antidiscrimination statutes to include traits historically associated with race, such as hair textures and protective hairstyles. Versions of the CROWN act are being considered across the country as increasing recognition is paid to the fact that certain hairstyles are often equated to an ethnicity, which has historically led to separate and unequal treatment. Out-of-date workplace dress codes, grooming policies, and ideas of professionalism often have a disparate impact on black applicants and employees. This legislation would tackle this problem by making it explicitly clear that discrimination on the basis of an individual’s protective hairstyle or hair texture is a form of race discrimination.

The CHRO is also supportive of the concept of HB 5389, An Act Concerning Collateral Consequences of a Criminal Record. The mission of the CHRO is to eliminate discrimination through civil and human rights law enforcement and to establish equal opportunity and justice for all persons within the state through advocacy and education. Eliminating barriers to opportunity is one of the Commission’s core concerns. Individuals with criminal records have an extremely difficult time finding employment, housing, credit and access to services after incarceration. Stable employment and housing, as well as access to necessary services, is essential for preventing recidivism and re-integrating the formerly incarcerated back into society.

The CHRO supports Section 3 of the bill, which expands the existing language of Conn. Gen. Stat. §46a-80 prohibiting the state or its agencies from discriminating against an applicant for a job or for a license, permit, certificate, or registration solely because of a prior conviction of a crime. Section 3 prohibits all employers, not just the state, from discriminating in hiring solely because of an applicant’s criminal history record information. This change would require any employer to consider the nature of the criminal conviction, proof of rehabilitation and the time that has lapsed since the underlying criminal acts when making these types of decisions. Under this new language, the criminal conviction alone cannot act as a bar to obtain the employment or license and would require an analysis of the enumerated factors prior to any disqualification.

The CHRO believes that the statutory analysis currently used in Conn. Gen. Stat. §46a-80 works well and is supportive of this model being used not only for private employment, but also for housing providers and places of public accommodation. Using this model would provide greater protections for individuals with a criminal history record while also allowing for an individualized assessment of a criminal record.

Finally, for consistency with the existing law regarding the exemption for multifamily owner-occupied dwellings, the CHRO recommends that lines 205-207 be changed to read “a unit in a dwelling containing not more than [four] two units if the owner actually maintains and occupies one of such other units as the owner’s residence.” This change would maintain consistency with Conn. Gen. Stat. §46a-64c(b)(1) regarding the prohibition of discriminatory housing practices.

Thank you for the opportunity to testify on these two important bills. I am happy to answer any questions you may have.